

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 22-mj-00015-SMM

UNITED STATES OF AMERICA

v.

MANUEL RUIZ,
a/k/a "Fernando Trejo-Ruiz,"

FILED BY _____ D.C.

FEB 15 2022

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - FT. LAUD.

CRIMINAL COVER SHEET

1. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to August 9, 2013 (Mag. Judge Alicia Valle)? No
2. Did this matter originate from a matter pending in the Northern Region of the United States Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek Maynard)? No
3. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to October 3, 2019 (Mag. Judge Jared Strauss)? No

Respectfully submitted,
JUAN ANTONIO GONZALEZ
UNITED STATES ATTORNEY

BY:



Michael D. Porter
Assistant United States Attorney
FLA Bar No. 0031149
101 South U.S. Highway 1, Suite 3100
Fort Pierce, Florida 34950
Tel: 772-466-0899
Fax: 772-466-1020
Email: Michael.Porter2@usdoj.gov

AO 91 (Rev. 11/11) Criminal Complaint

AUSA Michael Porter

UNITED STATES DISTRICT COURT

for the
Southern District of Florida

FILED BY _____ D.C.

FEB 15 2022

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - FT. LAUD.United States of America
v.

Case No.

22-mj-00015-SMM

MANUEL RUIZ,
a/k/a "Fernando Trejo-Ruiz,"*Defendant(s)*

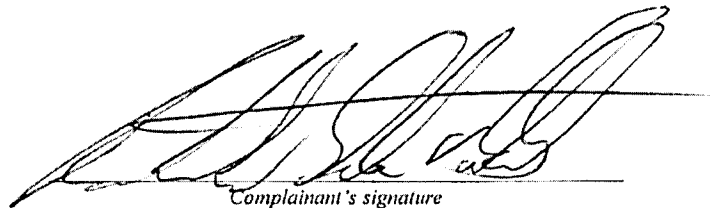
CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 10, 2022 in the county of Okeechobee in the
Southern District of Florida, the defendant(s) violated:*Code Section*
8 U.S.C. § 1326(a)*Offense Description*
Previously Removed Alien Found in the United States.

This criminal complaint is based on these facts:

-SEE ATTACHED AFFIDAVIT-

☒ Continued on the attached sheet.*Complainant's signature*

Richard Soto Valentin, Border Patrol Agent, United States Border Patrol

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by videoconference.

Date: February 15, 2022*Judge's signature*City and state: Fort Pierce, Florida

Shanlek M. Maynard, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Richard Soto Valentin, being duly sworn, depose and state as follows:

1. I am a Border Patrol Agent ("BPA") for the U.S. Department of Homeland Security, United States Border Patrol, and have served in that position for fifteen (15) years. I am currently assigned as the Prosecution Agent for the West Palm Beach Border Patrol Station in Riviera Beach, Florida. Previously, from February 2015 to March 2017, I was detailed to the Drug Enforcement Administration ("DEA") Resident Office in Port St Lucie, Florida. During my tenure at the DEA, I handled criminal investigations pertaining to narcotics and alien smuggling, as well as money laundering. From March 2012 to June 2014, I was detailed to Homeland Security Investigations ("HSI") in Arecibo, Puerto Rico. During my tenure at HSI, I handled criminal investigations pertaining to narcotics and alien smuggling, as well as money laundering and illegal weapons violations. Prior to becoming a Federal Agent, I was a state Criminal Investigator in the Puerto Rico Police Department for a period of eleven (11) years. I was assigned to the Narcotic Division as a Criminal Investigator. I have attended the United States Border Patrol Agent Academy, at the Federal Law Enforcement Training Center, in Artesia, New Mexico. I have received specialized training regarding the investigation and enforcement of United States Immigration Laws. In the capacity of a Border Patrol Agent, I am charged with enforcing federal administrative and criminal laws under Titles 8, 18, 19, and 21 of the United States Code. As a federal law enforcement officer, I have the authority to

conduct investigations, make arrests, execute search warrants, and take sworn statements.

2. This affidavit is based upon my own knowledge as well as information provided to me by other law enforcement officers. This affidavit does not set forth every fact known to me regarding the investigation but only those facts necessary to establish probable cause to believe that Manuel Ruiz ("RUIZ"), a/k/a Fernando Trejo-Ruiz, committed the offense of being a previously removed alien found in the United States, in violation of Title 8, United States Code, Section 1326(a).

3. I have reviewed documents from the immigration alien files belonging to RUIZ. Because RUIZ frequently uses an alias, Fernando Trejo-Ruiz, he has two Alien File Numbers: AXXX XXX 693 and AXXX XXX 273. A review of Department of Homeland Security electronic records and the immigration alien files assigned to RUIZ show that he is a native and citizen of Mexico.

4. Records further show that on or about September 20, 2000, RUIZ was ordered removed from the United States under the alias Fernando Trejo-Ruiz. Records in RUIZ's alien files show that on or about September 20, 2000, RUIZ was removed from the United States to Mexico.

5. Thereafter, RUIZ re-entered the United States. On or about July 11, 2007, RUIZ was ordered removed from the United States under his true name. Records in RUIZ's alien files show that on or about August 11, 2007, RUIZ was again removed from the United States to Mexico.

6. Thereafter, RUIZ re-entered the United States. Records in RUIZ's alien files show that on or about April 20, 2017, RUIZ was again removed from the United States to Mexico.

7. RUIZ's fingerprint cards for his September 20, 2000 removal, August 2007 removal, and April 2017 removal were entered into the IDENT system, a biometric database maintained by the Department of Homeland Security. Results confirmed that the fingerprint(s) that were taken for each removal were made by the same individual, that is, Manuel Ruiz.

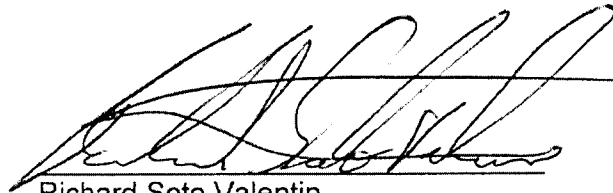
8. A record check was performed in the Computer Linked Application Informational Management System (CLAIMS) to determine if RUIZ had filed an application for permission to reapply for admission into the United States after deportation or removal. After a search was performed in that database system, no record was found to exist indicating that RUIZ obtained consent from the Attorney General of the United States or from the Secretary of Homeland Security, for re-admission into the United States as required by law.

9. Records from the Florida Driver and Vehicle Information Database show that RUIZ obtained a Florida driver's license on or about June 24, 2021, with a listed address in Okeechobee, Florida.

10. On February 10, 2022, I personally observed RUIZ at a residence in Okeechobee, Okeechobee County, Florida, which is the same residence listed on RUIZ's Florida driver's license. RUIZ was outside the residence near a Chevrolet Tahoe that was parked in front of the house. I am familiar with RUIZ

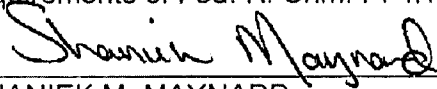
because I interviewed him on or April 12, 2017, prior to his removal from the United States on or about April 20, 2017.

11. Based on the foregoing, I submit that there exists probable cause to believe that, on or about February 10, 2022, Manuel Ruiz, an alien who has previously been deported and removed from the United States, was found in the United States without having received the express consent from the Attorney General or the Secretary of the Department of Homeland Security for re-admission into the United States, in violation of Title 8, United States Code, Section 1326(a).

A handwritten signature in black ink, appearing to read 'Richard Soto Valentin', written over a horizontal line.

Richard Soto Valentin
Border Patrol Agent
United States Border Patrol

Subscribed and sworn to before me, by videoconference, in accordance with the requirements of Fed. R. Crim. P. 4.1, on this 15th day of February 2022.

A handwritten signature in black ink, appearing to read 'Shaniek M. Maynard', written over a horizontal line.

SHANIEK M. MAYNARD
UNITED STATES MAGISTRATE JUDGE